



## **AGENDA**

### **Henderson City Council Regular Meeting**

**Monday 11 February 2019 6:00 p.m.**

**R. G. (Chick) Young, Jr. Council Chambers, Municipal Building**

**134 Rose Avenue**

**Henderson, North Carolina**

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#### **Mayor and City Council Members**

Mayor Eddie Ellington, Presiding

Councilmember Marion B. Williams  
Councilmember Sara M. Coffey  
Councilmember William Burnette  
Councilmember D. Michael Rainey

Councilmember Melissa Elliott  
Councilmember Garry D. Daeke  
Councilmember Fearldine A. Simmons  
Councilmember George M. Daye

#### **City Officials**

Frank Frazier, City Manager  
D. Rix Edwards, City Attorney  
Esther J. McCrackin, City Clerk

#### **I. CALL TO ORDER**

#### **II. ROLL CALL**

#### **III. INVOCATION AND PLEDGE OF ALLEGIANCE**

#### **IV. OPENING REMARKS**

In order to provide for the highest standards of ethical behavior and Transparency in Governance as well as provide for good and open government, the City Council has approved Core Values regarding Ethical Behavior<sup>1</sup> and Transparency in Governance<sup>2</sup>. The Mayor now inquires as to whether any Council Member knows of any conflict of interest, or appearance of conflict, with respect to matters before the City Council. If any Council Members knows of a conflict of interest, or appearance of conflict, please state so at this time.

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<sup>1</sup> **Core Value 4: Ethical Behavior:** We value the public trust and will perform our duties and responsibilities with the highest levels of integrity, honesty, trustworthiness and professionalism.

<sup>2</sup> **Core Value 10: Transparency in Governance:** We value transparency in the governance and operations of the City.

## V. ADJUSTMENTS TO AND/OR APPROVAL OF THE AGENDA

## VI. APPROVAL OF MINUTES

- a) 14 January 2019 Regular Meeting. *[See Notebook Tab 1]*
- b) 17 January 2019 Special Called Meeting

## VII. PRESENTATIONS/RECOGNITIONS

- a) Black History Month Proclamation – Mayor Ellington
- b) Library Update – Patti McAnally, Director
- c) Economic Development Commission Update – Dennis Jarvis, Director

## VIII. PUBLIC HEARING

- a) Consideration of Approval of Ordinance 19-01, Amending the Zoning Map to Rezone 1337 Dabney Drive (Parcel 0013 03052), 1343 Dabney Drive (Parcel 0013 03001), and 1511 Lynne Avenue (Parcel 0013 03002) from OIA (Office Institutional “A”) District and R-8 (Moderate to High Density Residential) District to B-4 (Neighborhood Commercial) District. *(CAF 19-05) [See Notebook Tab 2]*

**NOTE: After the agenda was compiled and delivered to Council, the City received a request from the applicant that no action be taken on this item until further notice. Therefore, no discussion or action will be taken on this item Monday evening.**

- Ordinance 19-01
- b) Holding a Public Hearing on the Question of Annexation for KARTS, Pursuant to North Carolina General Statute 160-A-31 and Consideration of Approval of 1) Ordinance 19-05, Extending the Corporate Limits of the City of Henderson, North Carolina; 2) Assignment of Newly Annexed Area known as KARTS to Ward 2, and 3) Directing the City Attorney to Record Annexation with Vance County Board of Elections, Vance County Register of Deeds and the North Carolina Secretary of State. *(CAF 19-03-A) [See Notebook Tab ]*

- Ordinance 19-05

## **IX. PUBLIC COMMENT PERIOD ON AGENDA ITEMS**

Citizens may only speak on Agenda items only at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided below.<sup>3</sup>

## **X. NEW BUSINESS**

**a)** Consideration of Approval of Resolution 19-07, Receiving the Comprehensive Annual Financial Report for FY Ending 30 June 2018. *(CAF 19-11) [See Notebook Tab]*

- Resolution 19-07

**b)** Consideration of Approval of Resolution 19-08, Seeking Legislative Approval of a One-Percent Meal Tax to Fund Tourism and Downtown Development. *(CAF 19-14) [See Notebook Tab ]*

- Resolution 19-08

**c)** Consideration of Approval of Resolution 19-04-A, Authorizing the Sale of 412 Thomas Street Recorded in Tax Deed Book 1130, Page 569 and Better Identified as PIN #0021 01021 of the Vance County Registry.*(CAF 19-04-A) [See Notebook Tab ]*

- Resolution 19-04-A

**d)** Consideration of Approval of 1) Ordinance 19-03, FY19 BA#26, Authorizing the Use of General Fund Balance to Construct the Outdoor Pavilion; and 2) Resolution 19-01, Approving a Contract with H.G. Reynolds Company to Perform Grading, Concrete and Other Construction Work Associated with the Outdoor Pavilion in the Amount of \$184,516. *(CAF 19-02) [See Notebook Tab ]*

- Ordinance 19-03
- Resolution 19-01

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### <sup>3</sup> Citizen Comment Guidelines for Agenda Items

The Mayor and City Council welcome and encourage citizens to attend City Council meetings and to offer comments on matters of concern to them. Citizens are requested to review the following public comment guidelines prior to addressing the City Council.

- 1) Citizens are requested to limit their comments to five minutes; however, the Mayor, at his discretion, may limit comments to three minutes should there appear to be a large number of people wishing to address the Council;
- 2) Comments should be presented in a civil manner and be non-personal in nature, fact-based and issue oriented. Except for the public hearing comment period, citizens must speak for themselves during the public comment periods;
- 3) Citizens may not yield their time to another person;
- 4) Topics requiring further investigation will be referred to the appropriate city official, Council Committee or agency and may, if in order, be scheduled for a future meeting agenda;
- 5) Individual personnel issues are confidential by law and will not be discussed. Complaints relative to specific individuals are to be directed to the City Manager;
- 6) Comments involving matters related to an on-going police investigative matter and/or the court system will not be permitted; and
- 7) Citizens should not expect specific Council action, deliberation and/or comment on subject matter brought up during the public comment section unless and until it has been scheduled as a business item on a future meeting agenda.

- e) Consideration of Approval of 1) Ordinance 19-06, FY19 BA#27, Authorizing the Use of Recreation Donation Funds to Cover First Year Grant Funding to the Embassy Cultural Center Foundation, Inc., for the Henderson Rec Players Program. (CAF 19-12) [See Notebook Tab ]
  - Ordinance 19-06
- f) Consideration of Approval of Ordinance 19-08, Amending City Code Relative to Parking on Oakridge Street. (CAF 19-15) [See Notebook Tab ]
  - Ordinance 19-08
- g) Consideration of Approval of Tax Releases and Refunds from Vance County for the Month of December 2018. (CAF 19-10) [See Notebook Tab ]

## **XI. PUBLIC COMMENT PERIOD ON NON-AGENDA ITEMS**

Citizens may only speak on non-Agenda items only at this time. Citizens wishing to address the Council must sign-in on a form provided by the City Clerk prior to the beginning of the meeting. The sign-in form is located on the podium. When recognized by the Mayor, come forward to the podium, state your name, address and if you are a city resident. Please review the Citizen Comment Guidelines that are provided below.<sup>4</sup>

## **XII. REPORTS**

- a) Mayor/Mayor Pro-Tem (No Report)
- b) City Manager (No Report)
- c) City Attorney (No Report)
- d) City Clerk
  - i. Meeting and Events Calendar [See Notebook Tab ]
  - ii. E-911 Monthly Report
  - iii. Fire Department Monthly Report

## **XIII. CLOSED SESSION**

- a) Pursuant to G.S.§143-318.11 (a)(3) regarding Attorney/Client Privilege

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#### **XIV. WORK SESSION**

*a) Consideration of Ordinance 19-07, Amending Section 10-34 of the City Code Relative to Peddlers, Solicitors, Park Concessions and Food Trucks (CAF 19-13)  
[See Notebook Tab ]*

- Ordinance 19-07

*b) Ferguson Group Discussion [No Handouts]*

*c) Interim Sewer Tap Discussion [No Handouts]*

#### **XV. ADJOURNMENT**